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May 9, 2003

Jeffrey C. Pepe, Ph.D.  
jeffp@seedlaw.com**Facsimile Transmission**41 pages including this page**TO: Examiner Brian Scott Szmal****Art Unit: 3736****Fax No.: 703-746-3338****Phone No.: 703-308-3737****RE: U.S. Patent Application No. 09/865,195****COMPOSITIONS AND METHODS FOR TREATING DISEASE UTILIZING  
A COMBINATION OF RADIOACTIVE THERAPY AND CELL-CYCLE  
INHIBITORS****Our Reference: 110129.420C2**☐ Urgent ☐ For Review ☒ Please Confirm Receipt ☐ Please Reply ASAP**Comments:****Please deliver to Examiner Brian Scott Szmal  
Art Unit 3736****FAXED COPY RECEIVED  
MAY 10 2003  
TECHNOLOGY CENTER 3700**If you do not receive all pages, please call Linda Povinelli at (206) 622-4900 or fax our office. <sup>964</sup>

Transmission Information: Date \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031


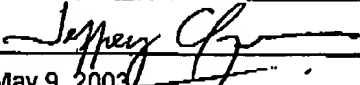
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


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<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	09/865,195
	Filing Date	May 24, 2001
	First Named Inventor	William L. Hunter
	Group Art Unit	Brian Scott Szmal
	Examiner Name	3736
	Attorney Docket No.	110129.420C2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> CD(s), Number of CD(s) _____
<input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Cited References	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53	<input type="checkbox"/> Declaration	<input type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	<input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
	<input type="checkbox"/> Terminal Disclaimer	
	<input type="checkbox"/> Request for Refund	

Remarks \_\_\_\_\_

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	Jeffrey C. Pepe, Ph.D. Reg. No. 46,985	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	May 9, 2003	

CERTIFICATE OF TRANSMITTAL VIA FACSIMILE		
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, facsimile number 703-746-3338, on the date shown below.		
Typed or printed name	Jeffrey C. Pepe	
Signature		Date: May 9, 2003

381158

PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032

<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">for FY 2003</h2> <p style="text-align: center;"><i>Patent fees are subject to annual revision.</i></p>		<i>Complete if Known</i>	
		Application Number	09/865,195
		Filing Date	May 24, 2001
		First Named Inventor	William L. Hunter
		Examiner Name	Brian Scott Szmal
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Group Art Unit	3736
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> <b>465.00</b>		Attorney Docket No.	110129.420C2

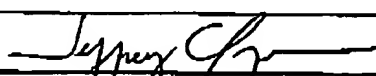
METHOD OF PAYMENT	
<input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <b>19-1090</b> Deposit Account Name: <b>Seed Intellectual Property Law Group PLLC</b>	
The Commissioner is authorized to (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any deficiencies to the above-identified deposit account.	


FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					<b>(\$)</b>

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims		** =		Fee from below	Fee Paid
Independent Claims		** =			
Multiple Dependent					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					<b>(\$)</b>

\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	<b>465</b>
1254	1450	2254	725	Extension for reply within fourth month	
1255	1970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1300	2453	650	Petition to revive - unintentional	
1501	1300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional applications	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					<b>(\$)</b> <b>465</b>

SUBMITTED BY			
Name (Print/Type)	Jeffrey C. Pep, Ph.D.	Registration No. Attorney/Agent	46,985
Firm Name/Address			
Signature		Date	May 9, 2003

  
**00500**  
 PATENT TRADEMARK OFFICE

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## PATENT

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09-May-2003  
Date \_\_\_\_\_ Jeffrey C. Hepa \_\_\_\_\_

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William L. Hunter *et al.*  
Application No. : 09/865,195  
Filed : May 24, 2001  
For : *COMPOSITIONS AND METHODS FOR TREATING DISEASE  
UTILIZING A COMBINATION OF RADIOACTIVE THERAPY AND  
CELL-CYCLE INHIBITORS*

Examiner : Brian Scott Szmal  
Art Unit : 3736  
Docket No. : 110129.420C2  
Date : May 9, 2003

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

REPLY AND AMENDMENT PURSUANT TO 37 C.F.R. §§1.111 AND 1.121

## Commissioner:

In response to the Office Action dated December 6, 2002, please extend the period of time for response three (3) months, to expire on June 6, 2003. Enclosed are a Petition for an Extension of Time and the requisite fee. Please amend the application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 2 of this paper.

**Remarks** begin on page 35 of this paper.

**Listing of Claims**